



A36056 PCT USA 071986.0142
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bateman et al.

Application No.: 10/699,035 Examiner: To be assigned

Filed: October 31, 2003 Art Unit: To be assigned

For: A MOLECULAR MARKER

ASSERTION OF SMALL ENTITY STATUS

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

Jan. 22, 2004
Date of Deposit

Carmella L. Stephens
Attorney Name

41,328
Registration No.

Carmella L. Stephens
Signature

Jan. 22, 2004
Date of Signature

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant's attorneys of record hereby assert that Murdoch Childrens Research Institute, owner of the entire right, title and interest in and to the above-identified application, is entitled to small entity status as defined in 37 C.F.R. 1.27(a). In support of the assertion, Applicants submit the enclosed Verified Statement (Declaration) Claiming Small Entity Status – Small Business Concern.

Applicants believe no fee is due for this communication. The Commissioner is hereby authorized to charge payment of any fees, or credit any overpayment made, in connection with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
BAKER BOTTS LLP

Carmella L. Stephens
Rochelle K. Seide
Patent Office Reg. No. 32,300

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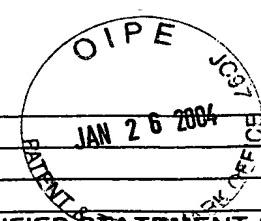
Applicant or Patentee:

Serial or Patent No.:

Filed or Issued:

For:

Attorney's Dkt. No. A36056-PCT-USA-A



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 19(f) and 1.27(c)] - SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN MURDOCH CHILDRENS RESEARCH INTITUTE
ADDRESS OF CONCERN Royal Children's Hospital, Flemington Road, Parkville,
Victoria 3052, Australia

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

A molecular marker

by inventors John Francis BATEMAN and David James FITZERALD

- the specification filed herewith.
 application Serial No. 10/699035 , filed 31 October 2003
 patent No. , issued

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

Name _____
Address _____
 Individual Small Business Concern Nonprofit Organization

Name _____
Address _____
 Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing hereon, or any patent to which this verified statement is directed

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

SIGNATURE

ANNE CRONIN

CHIEF OPERATING OFFICER

1167 GORE ST FITZROY VIC 3065

DATE 23/12/2003

Anne W Cronin